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March 2, 2016

BY ELECTRONIC CASE FILING

Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
United States Courthouse
225 Cadman Plaza
Brooklyn, New York 11201

Re: The European Community, et al., v. RJR Nabisco, Inc., et al.
Civil Action No.: 02-5771 (NGG)(VVP)

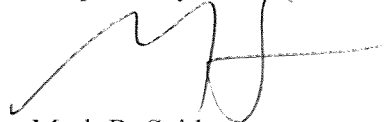
Dear Judge Garaufis:

Jones Day represents the defendants in the above-referenced-action. We write in response to plaintiffs' counsel's March 1, 2016 letter to the Court.

Defendants have no objection to plaintiffs' request that the Court grant limited relief from the stay and dismiss with prejudice any claims for RICO damages based upon domestic injuries. Indeed, we respectfully encourage the Court to act favorably upon plaintiffs' request as we believe that the proposed partial dismissal will help sharpen one of the principal legal questions currently pending before the Supreme Court, namely whether a civil RICO plaintiff may recover for foreign injuries.

Accordingly, we respectfully request that the Court grant plaintiffs' request at its earliest convenience, and in any event before the Supreme Court hears oral argument on March 21.

Respectfully submitted,



Mark R. Seiden
(MS-3529)

NAI-1500872452v1

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